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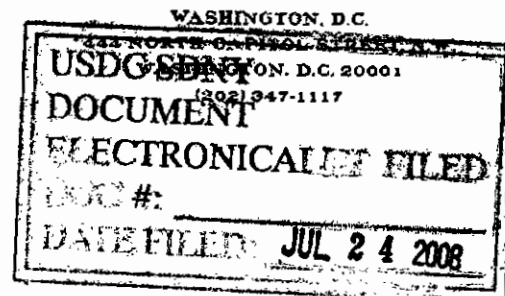
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July 23, 2008

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Hon. Laura Taylor Swain
United States District Judge
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *Ognibene v. Schwarz, et al*
(Civ. Action No. 08 CV 1335 (LTS) (TDK))

Your Honor,

We represent plaintiffs in the reference matter.

We are in receipt of the Court's July 16, 2008 Endorsed Memo granting defendants' extension request to August 4, 2008 in which to respond to plaintiffs' motion for injunctive relief.

In accordance therewith, we respectfully request that the Court adjust the present briefing schedule and allow *amicus* memoranda to be served on Wednesday, August 13, 2008 and for plaintiffs' reply papers to be served on Wednesday, August 20, 2008. We also inquire whether the Court will keep its August 20, 2008 conference.

We have conferred with defendants' lead counsel, Jonathan Pines, Esq., as well as Luke P. McLoughlin, Esq. and Peter J.W. Sherwin, Esq., *amicus* counsel, who do not oppose this request.

The requested briefing schedule adjustments are granted. The conference is adjourned to September 4, 2008 at 4:00pm.

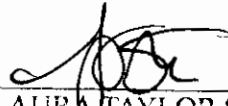
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Respectfully,


Charles Capetanakis

SO ORDERED.

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 7/23/08
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE